

REMARKS

Claims 1-20 were pending. Claims 3, 4, 6, and 7 and 10-19 are withdrawn due to election of species pending the allowance of a generic claim. New claims 21 and 22 are added herein. Thus, claims 1-22 are now pending. The applicant respectfully requests reconsideration and allowance of this application in view of the above amendments and the following remarks.

Applicants further request rejoinder of claims 3, 4, 6, and 7 and 10-19 upon allowance of a generic claim. As noted by applicants in response to the Election of Species filed on December 21, 2004, claims 1, 2, 5, 8, 9, and 20 are generic.

Claims 1, 2, 8, 9, and 20 were rejected under 35 USC 102(b) as being allegedly anticipated by Kato, et al., U.S. Patent No. 5,773,881 (hereinafter "Kato"). The applicants respectfully request that this rejection be withdrawn for the following reasons.

Claims 1 and 20 are amended herein to recite the novel embodiment disclosed, for example, on pg. 11, lines 12 - 17 of applicants' specification. Accordingly, claim 1, as amended, recites, *inter alia*, that the movable portion is disposed within a sealed gap that is sealed by sealing the sensor board, the circuit board and the gap bonding portion, the movable portion being disposed within the sealed gap portion. Claim 20, as amended, recites, *inter alia*, that the movable portion is disposed within a sealed gap that is sealed by sealing the sensor board and the circuit board. The movable portion is arranged in the gap so that the movable portion is protected.

Kato, at best, describes an acceleration sensor device 21 including a sensor element 22 disposed on a base plate 23 through a pedestal 24. Kato notably fails to disclose a sensor board as recited in claims 1 and 20 as amended. Specifically, Kato fails to disclose that the sensor element 22 is disposed within a sealed gap sealed by a sensor board, a circuit board, and a gap

bonding portion or at least by a sensor board and a circuit board. Rather, Kato at best, describes that the sensor element 22 is directly supported on the base plate 3 using the pedestal 4 and is placed in an internal space 29 formed from a resin package 31 and a base plate 23. Nowhere does Kato describe disposing a movable portion within a sealed gap sealed by a sensor board, a circuit board, and a gap bonding portion as claimed.

Accordingly, a *prima facie* case of anticipation has not properly been established in that Kato fails to disclose all the claimed features in the manner claimed as required. It is respectfully requested therefore, that the rejection of independent claims 1 and 20 be reconsidered and withdrawn. Claims 2, 8 and 9, and claim 5 (claim 5 is erroneously noted as withdrawn by the Examiner), by virtue of depending from claim 1 should be reconsidered and withdrawn.

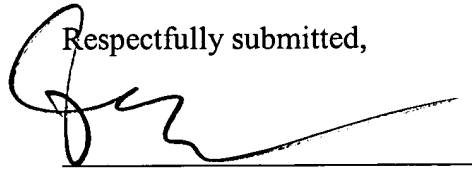
New claims 21 - 22 submitted herewith recite the novel embodiment disclosed, for example, on pg. 11, lines 18 - 25 of applicants' specification. Claims 21 and 22 by virtue of depending from independent claims 1 and 20 are allowable for at least the reasons set forth herein with regard to claims 1 and 20.

In view of the above amendments and remarks, the present application is now believed to be in condition for allowance. A prompt notice to that effect is respectfully requested.

In view of the foregoing, the applicant respectfully submits that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Robert L. Scott, II', written over a horizontal line.

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